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## SHEET C

### DOCTORAL COURSE IN LAW AND SAFETY

**Course:** 38

**Estimated starting date of the course:** 1/11/2022

**Coordinator:** Professor Guglielmo Fransoni (PO) – Area 12 SSD IUS/12 – University of Foggia

**Administrative headquarters:** DEPARTMENT OF LAW – UNIVERSITY OF FOGGIA

**Length:** 3 years

**Curricula:** NO

Total number of positions available No. **10** of which:

- No. 5 positions through scholarships granted by the university;
- No. 3 positions through scholarships granted by Ministerial Decree No. 351/2022:
  - No. 1 scholarship within the scope of: PNRR;
  - No. 2 scholarships within the scope of: Public Administration;
- No. 2 positions without scholarships.

#### Short description of the research projects:

The project of this doctoral course is intended to exploit at most two aspects of legal training. The first aspect is of general theory. From this point of view, it must be remembered that - beyond the biological and evolutionary reasons that underlie the community dimension of individual existence - every community is founded on the need to protect the life of its members (with all the complex system of impulses, primary needs and aspirations connected to it). The law, as it is universally recognized, "is from the outset ordered to safeguard a cohabitation between men that is naturally exposed to the risk of a destructive conflict". The legal system, in all its articulations, is aimed at achieving the protection of the individual and social cohabitation. Therefore, it necessarily has a general "security" function which, on the other hand, is dialectically confronted with the freedom of individuals. A constant and irresolvable dialectical confrontation because freedom needs security, yet at the same time security is a limit to freedom. An inseparable connection, but also necessarily problematic, with respect to which two different security policy approaches are currently confronted at a global level: a more experimented and traditional approach, more restrictive of fundamental rights and freedoms, and an integrated approach based on complementarity and interaction between security and freedom (comprehensive security). By calling to mind this dialectical relationship between (subjective) law and security, from the title of this doctorate, we intended to place at the center of the project the complex of fundamental issues that have always been (objectively) proper to law. A complex of problems which, although traditional and because they are traditional, deserve to be constantly reconsidered with all the cognitive tools of the jurist, but first and foremost, according to the general perspectives offered by philosophy and history. Together with the general theory aspect, the doctorate intends to exploit a second more specialized aspect. Although, for the aforementioned reasons, the security problem is intimately bound to law without other qualifications rather than connected, there are sectors of legal experience that make this bond entirely explicit. It could perhaps be said that there is a "crisis law" that is a complex of disciplines (or disciplinary articulations) that deal specifically with the moments "of rupture", those in which stability is most threatened and it is essential to put specific safety devices in place. Some of these "crises" are completely traditional: from the crisis of cooperation, to the business crisis up to perhaps the most critical moment of all, that is crime, both the one perpetrated individually, and the dateless one, relevant to the country responsibility. Some of these crises are connected to particular contemporary profiles, because they depend (perhaps more for the forms that characterize them than the values that are potentially compromised by them) on new technologies or new social, economic and financial dimensions of the social organization: suffice it to say the protection of confidentiality in relation to new



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forms of communication and data exchange, or the protection of security against cyber threats. That is, because new protection needs depend on the emergence (or accentuation) of new and correlated values (e.g. the protection of future generations in relation to climate crises). This doctoral course pursues the objective of being able to combine reflection on the perspective of general theory and the analysis of more specialized profiles in the best possible way in order to form a solid legal culture and adequate critical analysis skills in the doctoral students. The importance of knowing how to deal with the law in its complexity of general theory and specialist knowledge emerges both when the jurist operates (as a lawyer, a notary, a magistrate, a member of law enforcement or an agency officer) in relation to the individual case, and when he or she has to intervene in the development of broader projects (as an academic or in the institutional context). Indeed, the centrality of legal thinking means that a solid preparation in general theory and the critical refinement of specialist knowledge can be decisive in a constantly changing world, to take on roles and responsibilities, at a professional and cultural level, even in non-strictly legal areas. The proposed doctoral course therefore aims to preserve and possibly exploit the bond between the "technical" and the "theoretical" profile, in the belief that they are not only complementary, but multiply the possibilities of employment of the jurist in the civil society and "labor market".

#### **Short description of the research projects referred to in the PNRR (Ministerial Decree 351/2022):**

The subject of the doctoral course appears to be perfectly consistent with the PNRR as a whole and with some of the objectives set by the PNRR. In the first place, it is evident that securing the communities of the Member States after the pandemic aggression is, more than the objective, the very foundation of public intervention in the economy achieved through the PNRR. It is already the public nature of the subject who carries out the intervention that puts into play the dialectic which the doctoral program turns its attention to. In addition to this is the general inspiration that underlies the EU's historic decision to mobilize such huge resources. Understanding and implementing the PNRR in the best possible way also and necessarily means understanding its underlying logic. Secondly, the content of the doctorate is fully coordinated with some of the specific objectives set in the PNRR. In particular, it should be noted that the issue of safety, according to one of the specific declinations explicitly referred to in the description of this project, is expressly contained in the title of one of the objectives. In fact, cyber security stresses the name of the first of the seven investment areas envisaged for the digitalization of the public administration which, in turn, is one of the main objectives of the "Digitalization, innovation and security in the public administration" component (included in the mission "Digitalization, innovation, competitiveness, culture and tourism "). More specifically, the plan provides for an allocation for the development of infrastructures characterized by high reliability and efficiency capable of strengthening the country's IT security perimeter. Furthermore, as part of this intervention, the plan has as its objective the interoperability between the various database in use by the public administration, for the purpose of guaranteeing greater security of the information and resources contained therein, in order to then provide adequate services to citizens and businesses. These objectives demonstrate an ever-increasing attention to computerization and modernization of the public administration, being aware that this represents one of the fundamental pillars for the creation of a system capable of offering services that are, at the same time, effective, safe and protected. The doctoral course, in this sense, focusing both on personnel and dedicated structures with a double direction of intervention, intends to combine in the best possible way, in line with the aforementioned mission of the PNRR, the desire to form a solid legal culture on protection and on the protection of national security with a ready defense and response strategy to growing cyber threats. From a methodological point of view, in line with the objectives of the PNRR, the doctoral program will be carried out in a multidisciplinary perspective, concerning issues aimed at bringing about a significant development of knowledge, also applied, in the areas of interest of the PNRR. This approach will make it possible to reconstruct and interpret the national and supranational legal framework of reference for the single sector of intervention, also through the study and deepening of the secondary standards and the instructions of a technical / applicative nature that necessarily integrate said regulatory framework. In compliance with the criteria established by the PNRR, particular attention will be paid to the participation in the government, organization and strategic direction of the public administration (both at national, regional and local level), also through the implementation of innovative and strongly user-oriented strategies, the effectiveness of the actions taken, as well as the exploitation of resources. With this in mind, independent research paths will be developed to help define and exploit management, leadership and communication skills that are effective for organizations, with particular reference to the selection, management and development of human resources. Interdisciplinarity, adherence to international networks and intersectoriality referred to in the PNRR will also be

promoted.

**Admission prerequisites:**

Master's Degree in:

LMG/01 Class of Master's Degrees in Law

LM-56 Economics

LM-62 Political Sciences

LM-77 Economics and business

LM / SC-GIUR Legal Sciences

19 / S (Master of finance)

22 / S (Master of law)

64 / S (Master of economics)

70 / S (Master of political sciences)

71 / S (Master of public administration sciences)

84 / S (Master of economics and business)

LMG / 01 (LAW)

**Admission procedures:**

The selection will be based on the assessment of qualifications, written and oral tests.

The written examination will test: the ability to understand a legal text; think about the same in order to detect the main problematic issues and the development of the legal argument as well as assess the coherence and completeness of the latter.

During the oral exam the knowledge of the English language will be ascertained.

The assessment will take place pursuant to art. 6 of the selection notice.

**Test completion methods for foreign candidates:**

Foreign candidates can choose to take the admission test in English.

**Admission test calendar and venue:**

Written test: 20 September 2022

Oral test: 21 September 2022

Test venue: the oral test will take place online for all candidates. The email address provided by the candidate will be used to arrange the platform and the related *virtual rooms* for connection.

**For further information please visit:**

<https://www.unifg.it/it/studiare/post-lauream/dottorati-di-ricerca>